

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TIMOTHY L. JEFFERSON et al.,

Plaintiffs,

v.

GOVERNOR BILL LEE et al.,

Defendants.

Case No. 3:20-cv-00469

Chief Judge Waverly D. Crenshaw, Jr.
Magistrate Judge Alistair E. Newbern

MEMORANDUM ORDER

Before the Court in this civil rights action are pro se and *in forma pauperis* Plaintiffs Timothy L. Jefferson and Andrew L. Jefferson's two motions to amend their complaint and proceed as a class action (Doc. Nos. 37, 38) and Timothy L. Jefferson's motion to cease and desist (Doc. No. 35). These three motions do not comply with the signature requirements of Federal Rule of Civil Procedure 11 and Local Rule 7.03(a) and must be refiled.

Rule 11 requires "[e]very pleading, written motion, and other paper [to] be signed . . . by a party personally if the party is unrepresented. The paper must state the signer's address, e-mail address, and telephone number."¹ Fed. R. Civ. P. 11(a); *see also* M.D. Tenn. R. 7.03(a) (form) ("All pleadings must be signed as required by Fed. R. Civ. P. Rule 11, and names must be typed or printed beneath all signature lines."). "As Rule 11(a) is now framed, . . . the requirement of a signature [indicates], as a signature requirement commonly does, and as it did in John Hancock's day, a name handwritten (or a mark handplaced)." *Becker v. Montgomery*, 532 U.S. 757, 764

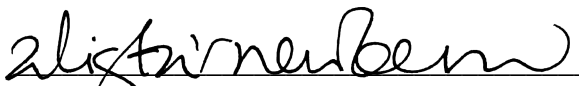
¹ The Court recognizes that pro se, incarcerated plaintiffs like Timothy and Andrew Jefferson may be unable to provide an e-mail address or telephone number. However, Rule 11 requires that all filings include—at minimum—a current mailing address.

(2001). If a party does not promptly correct an unsigned paper after the omission is called to their attention, “[t]he court must strike the unsigned paper” Fed. R. Civ. P. 11(a).

Both motions to amend (which appear to be identical) include Timothy L. Jefferson’s and Andrew L. Jefferson’s typed names, Tennessee Department of Correction (TDOC) identification numbers, and addresses, but do not include handwritten signatures. (Doc. Nos. 37, 38.) Timothy L. Jefferson’s motion to cease and desist includes his handwritten signature and a signature block with his typed name and TDOC identification number, but does not include his address. (Doc. No. 35.) Therefore, these motions do not comply with the signature requirements of Federal Rule 11 or Local Rule 7.03.

Accordingly, Timothy Jefferson and Andrew Jefferson are ORDERED to refile their motions to amend (Doc. Nos. 37, 38) and Timothy Jefferson is ORDERED to refile his motion to cease and desist (Doc. No. 35) in compliance with the signature requirements of Federal Rule of Civil Procedure 11 and Local Rule 7.03 by June 9, 2021. Failure to do so will result in the unsigned motions being stricken under Rule 11.

It is so ORDERED.


ALISTAIR E. NEWBERN
United States Magistrate Judge